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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/801,066 | |
| | Filing Date | March 15, 2004 | |
| | First Named Inventor | Jalme E. Garcia et al. | |
| | Art Unit | 3724 | |
| | Examiner Name | K. Peterson | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | JK-01257 |

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| ENCLOSURES (check all that apply) | | |
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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---------------------|----------|--------|
| Firm | Black & Decker Inc. | | |
| Signature | | | |
| Printed Name | Adan Ayala, Esq. | | |
| Date | February 3, 2006 | Reg. No. | 38,373 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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| Signature | | | |
| Typed or printed name | Adan Ayala, Esq. | Date | February 3, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UTILITY PATENT

B&D No. JK01257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Jaime E. GARCIA et al.**

Serial No.: **10/801,066**

Examiner: **K. Peterson**

Filed: **March 15, 2004**

Group Art Unit: **3724**

For: **RIVING KNIFE ASSEMBLY**

Assistant Commissioner for Patents

Washington, DC 20231

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RESPONSE TO RESTRICTION REQUIREMENT

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on Feb 3, 2006


Adan Ayala

Dear Sir:

This is in response to the Office Action mailed on January 3, 2006.

The Examiner required the election of one of the following species: Species A (represented by FIGS. 1 and 3); Species B (represented by FIGS. 2A-2B); Species C (represented by FIG. 4); Species D (represented by FIG. 5); Species E (represented by FIG. 6); Species F (represented by FIG. 7); Species G (represented by FIG. 8); Species H (represented by FIG. 9); Species I (represented by FIGS. 10-11); Species J (represented by FIGS. 12-13); Species K (represented by FIG. 14); and Species L (represented by FIG. 15).

The Examiner has advised Applicants that a response to the restriction requirement must include an identification of the species that is elected consonant with the requirement, and a

UTILITY PATENT

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listing of all claims readable thereon. Applicants hereby elect Species A2, as designated by the Examiner. The claims readable upon Species A are Claims 1-2, 5, 7-8, 12, 22 and 24.

While no fee is believed to be due, the Commissioner is nevertheless authorized to charge payment of any fees due in processing this amendment, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



Adan Ayala
PTO Reg. No. 38,373
Attorney for Applicants

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